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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,796	10/06/2004	David R. Hall	66.0072	5795
38046	7590	10/01/2007		
JEFFREY E. DALY INTELLISERV, INC 400 N. SAM HOUSTON PARKWAY EAST SUITE 900 HOUSTON, TX 77060			EXAMINER WONG, ALBERT KANG	
			ART UNIT 2612	PAPER NUMBER
			MAIL DATE 10/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/711,796

Applicant(s)

HALL ET AL.

Examiner

Albert K. Wong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-19 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-19 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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1. This Office action is in response to the amendment filed July 6, 2007. Claims 1-13, 15-19, and 21-23 are pending. Claims 14 And 20 have been cancelled. The prior rejections have been withdrawn in view of the amendment and remarks.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-13, 15-19, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fincher et al (2005/0024231).

Regarding claim 13, Fincher discloses the claimed pressure sensor at the telemetry stations located on the nodes of the tubular string. The tubular string constitutes a segmented transmission path that is inductively coupled (see para. 64). Signals are sent along the transmission path and received by another node. Fincher does not explicitly teach the step of performing an automated response at a second location. However, Fincher teaches that the transmission path is used for control as well as telemetry purposes. Wisler teaches the use of pressure sensors to detect abnormal conditions that may lead to blowout. Further Wisler teaches the transmission of signals to control devices to prevent a blowout. The claimed sensor is shown in Figure 1a; the claimed receiver is shown as item 30. Wisler teaches in col. 4, lines 20-30 that the signals from the sensors are sent to a blow out preventer (BOP). A BOP is a device activated in response to measured conditions that an anomalous to prevent a blow out event. It would have been obvious to one of ordinary skill in the art that the detection of an anomalous condition

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downhole would result in an automated response at the BOP since the signal is sent to the BOP.

Further, it would have been obvious to modify Fincher for the purpose described in Wisler.

Regarding claim 15, the detection of pressure kicks, blowouts, and loss of circulation to detect a blowout condition is considered admitted prior art. It would have been obvious to measure for such conditions to prevent a blowout.

Regarding claim 16, Wisler shows a blowout preventer acting as a receiver because it receives the signal from the sensors.

Regarding claim 17, Wisler shows a BOP. Such a device performs a blowout prevention action.

Regarding claim 18, it would have been obvious for a receiver to actuate the BOP since that is the function of the device. Otherwise, there would be no purpose for the receiver to receive the signal.

Regarding claim 19, see Figure 2 of Wisler and location of BOP.

Regarding claim 21, the sensor in Wisler is located near the bottom of the tool string.

Regarding claim 22, see item 51 of Wisler.

Regarding claim 23, one of ordinary skill in the art would be aware of the various types of BOPs. Wisler teaches the use of a BOP, but does not specify what kind. It would have been obvious to use one of the conventional BOPs for their known functions.

Regarding claims 1-6 and 8-12, these are the method equivalent of the apparatus claims. Since the apparatus has been shown to be obvious, the method of using the apparatus in its intended manner would also have been obvious.

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Regarding claim 7, it would have been obvious to perform an automated response immediately since a delay may result in a blowout.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert K. Wong whose telephone number is 571-272-3057. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian A. Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Albert K. Wong
September 26, 2007



**ALBERT K. WONG
PRIMARY EXAMINER**